

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 6742 of 1996

For Approval and Signature:

Hon'ble MR.JUSTICE M.S.PARIKH

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1. Whether Reporters of Local Papers may be allowed to see the judgements?
2. To be referred to the Reporter or not?
3. Whether Their Lordships wish to see the fair copy of the judgement?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge?

V M THAKKER CHARITABLE TRUST

Versus

COMMISSIONER FOR HIGHER EDUCATION

Appearance:

MR MP PRAJAPATI for MR NC SHAH for Petitioner

MR KC SHAH, AGP for Respondent No. 1, 2, 3

CORAM : MR.JUSTICE M.S.PARIKH

Date of decision: 01/10/96

ORAL JUDGEMENT

Rule. Service of rule waived by Mr. K.C. Shah,
Ld. AGP for the respondents.

2. The grievance of the petitioner is that the petitioner's representation/communication dated 21/5/1996 for grant is pending before the District Education Officer (Respondent No. herein). The petitioner wrote the

said letter dated 21/5/1996 in respect of sanction of grant for the additional classes of Science stream in Higher Secondary Section. Such representation dated 21/5/1996 has yet not been decided.

3. In the facts of the case, therefore, following direction is required to be issued :-

The respondent no. 3 is directed to consider the petitioner's representation as contained in communication dated 21/5/1996, referred to hereinabove, in accordance with law and the rules while also considering the decision of this Court rendered on 28/12/1993 (Coram : R.K. Abichandani, J.) in Special Civil Application No. 7244 of 1989, as also the eligibility or other conditions imposed while granting permission to commence the additional classes, as expeditiously as possible preferably within a period of two months from the date of receipt of writ of this order.

Rule is made absolute to the aforesaid extent only. No order as to cost.

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